

October 21, 2003

A regular meeting of the Redmond City Council was called to order by Mayor Rosemarie Ives at 7:30 p.m. in the Council Chambers. Councilmembers present were: Cole, McCormick, Misener, Paine, Plackett, and Robinson.

ANNOUNCEMENTS

The Mayor announced the following changes to the agenda:

- Following the Regular Meeting the Council will meet in executive session to discuss litigation for approximately 20 minutes.
- The Mayor announced the following additional items:
 - o Staff Report - Access to City Information
 - o Staff Report - City of Kirkland letter to Washington State Department of Transportation (WSDOT) on State Route (SR) 520 Trans Lake Washington Corridor
 - o Old Business - Discussion regarding reconsideration of the NE 116 Street Transportation Impact Fee Overlay District
 - o New Business - Discussion: Council email policy.

PRESENTATION

John Resha, Executive Director, Greater Redmond TMA (Transportation Management Association,) presented to the Mayor the Association for Commuter Transportation's Top Partnership Award for the city's BRAVO project.

ACKNOWLEDGEMENTS

Tim Cox, Parks Planning Manager, announced that the Redmond Parks and Recreation Department received the following awards:

- 2003 Washington Recreation and Parks Association (WRPA) Spotlight Facilities and Parks Honorable Mention Awards for the Anderson Park Renovation, Watershed Preserve Comfort Station, and Edge Skate Park
- 2003 WRPA Spotlight Media Award of Excellence for best parks and recreation brochure

Mr. Cox also acknowledged the City of Redmond being honored as a 2003 Tree City USA.

ITEMS FROM THE AUDIENCE

Ken Johnson, 6254 36 Avenue NE, Seattle 98115, King County Department of Natural Resources, Ground Water

Program, said he is a civil engineer specializing in groundwater. He supported Redmond's proposed wellhead protection regulations as an integral part of a countywide effort and state Growth Management Act mandate to protect drinking water and salmonids.

Judy Jewell, 19150 Union Hill Road, President, Olympian Precast, representing Redmond Industries for a Clean Environment (RICE), said the organization spent a year negotiating with the city wellhead protection regulations on behalf of Redmond businesses. She said a group of forty businesses were consulted. The businesses, she concluded, appreciated the opportunity to participate in the development of the proposed ordinance.

Tom Fix, Lead Water Quality Technician with the City of Redmond, said the Public Works Department is responsible for protecting the quality of our drinking water and operating our well system. Since the first well was sunk in Anderson Park in 1952, he continued, Redmond citizens have enjoyed safe clean drinking water. He indicated that other cities are entirely reliant on Seattle for water since they are not as fortunate as Redmond to have wells, and their water costs three times as much as our well water. He noted Redmond's wells are shallow, and, therefore, vulnerable to the risk of contamination. He added that our current wellhead protection plan is inexpensive and has worked for the past thirty-five to forty years, but in the past ten or fifteen years the supply has begun to run out. He concluded that without an effective ordinance the city could lose the wells from contamination or depletion and encouraged the Council to pass the Wellhead Protection Ordinance.

Kris Colt, 19915 NE Redmond Road, Redmond 98053, speaking as a concerned citizen and an environmental professional about the Wellhead Protection Ordinance, said the purity of the water is of great concern. She handed out a brochure entitled "Chemicals in Your Community", which provides background on why it is important for the community to know what chemicals are located on nearby properties. She also attached a report published under the Emergency Planning and Community Right to Know Act regarding the facilities in Redmond. She encouraged the Council to support the proposed ordinance.

David Jennings, P.O. Box 47849, Olympia 98502, Program Manager, Washington State Department of Health, Department of Drinking Water, supported the proposed wellhead protection ordinance. He complimented the process by which the ordinance was developed. He said it is important to take proactive steps to prevent contamination of our drinking water supply, and this is exactly the type of program the state recommends. Contamination incidents bear a high cost, he noted. He concluded he would be available tonight to answer questions from the Council.

Susan Wilkins, 18024 NE 99 Court, urged the Council to pass the proposed Wellhead Protection Ordinance to protect Redmond's wells and the billions of gallons of water that the wells pump.

Marcelle Pechler, Executive Director, Greater Redmond Chamber of Commerce, 16210 NE 80 Street, said the Chamber supports the process the Mayor and the Council have taken from the start to develop the Wellhead Protection Ordinance. She said it was a collaborative effort of the businesses and the residential community, and urged the Council to support this collaborative process in other areas.

Blanche Snipes, 7703 151 Avenue NE, supported the proposed Wellhead Protection Ordinance.

On another topic, Ms. Snipes asked the Council to review the city's policy regarding outside storage units. She said there is a storage unit in an inconspicuous area behind her business in an area that is used only for delivery purposes and employee parking.

James L. Roberts, Deputy Planning Director, said three or four months ago he reported to the Council that the city had received a complaint about a number of storage sheds downtown, and that the city would proceed with enforcement. He explained that staff cannot selectively enforce city regulations; it has to be done consistently across the board. He continued that so far twenty containers have been removed from the downtown. He said there is one other situation where a business wants to have their storage shed through the holiday season, and the city has encouraged them to apply for a short-term temporary use permit to get them through the holiday season.

Councilmember Cole requested that staff email the Council the address of the business involved.

Barbara Galler, 15617 NE 70 Court, registered a complaint about a candidate who is running for City Council who apparently does not understand the legalities and protocols regarding the installation of political signs. She said she hoped the Council would work with staff so political candidates comply with the law.

Charlie McCarthy, 17639 NE 34 Court, speaking to the potential reconsideration of the transportation impact fee overlay district for NE 116 Street, stated that traffic is one of the most important issues affecting Redmond. He said NE 116 Street is not a major thoroughfare that would be used for cut-through traffic, and the city would not be considering improvements to the roadway if new homes were not being built there. He said the improvements are being put in because of the traffic generated by the people who are building the homes and who will live there. He said the impact fee might affect affordable housing in the area, but the prices for the homes in the proposed overlay district do not qualify as affordable housing. He continued that if there are concerns the road will be used for cut-through traffic, the city needs to address that issue with the implementation of the necessary traffic calming measures. He concluded that the Planning Commission felt that NE 116 Street improvements presented a unique situation, and would review a similar situation on a case-by-case basis.

EXCUSE COUNCILMEMBER DORNING

Motion by Mr. Cole, second by Ms. McCormick, to excuse Councilmember Dorning. Motion carried unanimously (6 - 0).

CONSENT AGENDA

Motion by Ms. McCormick, second by Mr. Misenar, to approve the following items of the Consent Agenda:

- (1) approve the minutes of the regular meeting of October 7, 2003

- (2) approve the following payroll/
direct deposit and claims
checks:

PAYROLL/DIRECT DEPOSIT CHECKS:

#156282 through 156395; and
#115198 through 115762 \$1,128,204.25

CLAIMS CHECKS:

#209747 through 210147 \$2,768,173.41

- (3) authorize acceptance of Local
Law Enforcement Block Grant
funds for 2003

- (4) approve award of bid for the
Willows Road Overlay and Minor
Improvements (NE 116 Street to
NE 124 Street) Project No. 01-
CI-31, to Watson Asphalt Paving
Co., Inc., Redmond, Washington,
for the amount bid of
\$189,152.25, and authorize the
Mayor to sign the contract;
approve Supplemental Agreement
No. 2 with Reid Middleton, Inc.
for construction engineering and
record drawing services in an
amount not to exceed \$19,000
including contingency, and
authorize the Mayor to sign the
agreement.

The following bids were
received:

Watson Asphalt Paving Co.	\$189,152.25
Lakeridge Paving Co.	256,206.00
Lakeside Industries	301,604.25
<i>Engineer's Estimate</i>	<i>217,083.75</i>

- (5) approve the final contract
amount with Soto and Sons,
Everson, Washington, for the
base bid amount of \$466,899 plus
change orders, bid item quantity
increases and decreases, and
Washington State sales tax,
resulting in a final contract
amount of \$540,517.82; and

accept the Pump Station No. 4
Rehabilitation, Project No. 96-
SS-44

- (6) grant utility easements to Puget Sound Energy at Avondale Park on the former Coast Guard property
- (7) approve the King County Emergency Medical Services Basic Life Support Service Contract for the Year 2004, and authorize the Mayor to sign the contract.

Motion carried unanimously (6 - 0).

REPORTS

Staff Report - City Hall Project Update

The Mayor, in a memorandum to the City Council dated October 21, 2003, summarized the issues discussed at the October 14, 2003 study session regarding the proposed new City Hall lease and related agreements, funding options, and impacts on the timeline for finalizing the lease in conjunction with several ancillary agreements, which are currently being drafted (ground lease between the city and National Development Council [NDC] and the development agreement between NDC and Wright Runstad).

Staff Report - NE 83 Street/161 Avenue NE Intersection Project

Jeanne Koetje, Transportation Project Engineer, and Joel Pfundt, Senior Transportation Planner, in a memorandum to the Mayor and City Council dated October 21, 2003, updated the Council on the NE 83 Street Corridor Design project, including the design process, the recommended intersection improvement project, budget, and other alternatives for the intersection project. Staff requested direction from the Council before proceeding on the budget, scope, and schedule.

Councilmember Misenar said the city has heard from the public that the NE 83 Street/161 Avenue NE is one of the most difficult intersections, and \$1 million dollars (Option 2) is available to move forward.

Councilmember Robinson said the project was reviewed at the Planning and Public Works Committee meeting last

week, and the Committee was concerned about the cost, but often projects end up costing more. He agreed with Councilmember Misenar that the Council has received concerns from the public about the safety within the corridor and at the intersection in particular. He concluded he would like to do it right the first time; the amenities and \$1.5 million cost are warranted because of the project's location.

Councilmember Cole concurred with the above remarks. He acknowledged that it will be a challenge to fund the total project from 158 Avenue NE to 167 Avenue NE. He said he has already raised a concern about the fourteen-foot sidewalk width; he thought ten feet would be appropriate and cheaper because the city would need to purchase less right-of-way. He concluded he would like to move ahead and do everything possible to keep the cost down through value engineering.

The Mayor said the Lions Gate development has been very successful. She noted the NE 83 Street Corridor has a different profile than other areas of town in that it is a mixed-use area. She concluded that there might be future proposals for housing at the park-and-ride lot, and, perhaps, the wider sidewalk would make it more livable.

Councilmember McCormick expressed concern about the cost. She agreed with Councilmember Cole about the sidewalk width, especially if a ten-foot sidewalk would mean more trees could be saved in the corridor.

Mr. Pfundt noted that staff had sent out a report showing some different sidewalk widths around Redmond. Ms. Koetje added that reducing the sidewalk width from fourteen to ten feet would save about \$32,000.

Councilmember Plackett pointed out that this is also a safety project, and noted that at the open house there was testimony in favor of having more parking there. She said she was in favor of it even with the higher cost.

It was the consensus of the Council that staff should proceed with the NE 83 Street/161 Avenue NE intersection improvement project as presented while trying to keep the project cost less than \$1.5 million.

Staff Report - Morelli Property Status Report

James L. Roberts, Deputy Planning Director, said on June 2, 2003 the Technical Committee approved the short plat. He continued that the next step is submission of construction drawings, and the applicant's engineer has been working on those plans. He explained that based on our code, approval of the short plat is good for one year, or the applicant could ask for an extension to finish the drawings.

Councilmember Cole said that when he was in the neighborhood east of the home, he was surprised to learn that it has been three years since it was moved and there is still hostility about this issue.

Staff Report - Access to City Information

The Mayor said that for people for whom English is not their primary language, the City of Redmond web page has information about Redmond in Spanish; in addition, the Police Department has a list of frequently asked questions/answers in Spanish. Additionally, she said, the city has a roster of employees who are available to assist those who have difficulty speaking English.

Staff Report - Letter from City Of Kirkland Regarding SR-520/Trans Lake Washington Corridor

The Mayor said she had distributed to the Council a copy of the City of Kirkland letter to the WSDOT stating that there is a greater dependency on the SR-520 Corridor than any other corridor, and that projects dealing with public safety should be the highest priority. The Mayor asked for Council support to send a similar letter to the WSDOT.

Councilmember Paine said the plan for tolling on existing roads is unpalatable to the general public, and he did not want to support anything regarding the Regional Transportation Improvement District project list that could be negatively perceived by the voters.

Councilmember McCormick agreed that Redmond should send its own letter supporting the inclusion of the SR 520 project on the RTID project list, and the Council concurred.

OMBUDSMAN REPORT

The Mayor stated there has been a request for parking signs from the residents at Lions Gate, and she has asked that the Public Works Department to look into it.

Councilmember Cole said the residents near Peters Creek are concerned about the restoration project and staff is already investigating this issue.

Councilmember Cole asked has the city designed a park at Welcome Park? Mr. Roberts responded that the plan for the property next to Scott's Pond is only a concept at the present time.

RECONSIDERATION OF THE NE 116 STREET TRANSPORTATION IMPACT FEE OVERLAY DISTRICT

Councilmember McCormick said she felt that more discussion with the NE 116 Street neighborhood is needed in order for staff to answer residents' questions. Also, she was concerned that the fees would not generate the level of funding anticipated. She stated she would submit questions to staff based upon the email she received from an area resident.

Motion by Ms. McCormick, second by Mr. Robinson, to reconsider the ordinance establishing the NE 116 Street Transportation Impact Fee Overlay District on November 4, 2003.

Councilmember Paine said the Council made the arguments two weeks ago, the Planning Commission had its hearings, and it is time to move forward. He urged the Council not to vote for reconsideration.

Councilmember Cole asked the City Attorney could the city leave the fees in place while it responded to citizen questions/concerns? James E. Haney, City Attorney, replied no. Councilmember Cole said he was leaning toward supporting the motion because the city has failed to communicate with the area residents and make them aware of the proposal.

The Mayor asked Mr. Haney to address keeping the fee in place, working with the neighborhood, and do amendments later without losing an opportunity to collect the fees. This way, she concluded, staff can have a follow-up discussion with the neighborhood residents

regarding the roadway design and respond to their concerns.

Mr. Haney said if someone would come in tomorrow requesting a building permit, the city would charge the impact fee. If the motion to reconsider the overlay district ordinance is passed, he explained, the effect is to place the original motion back on the table as if it never occurred, so the ordinance is out of play. He concluded an individual coming in tomorrow would pay at the pre-ordinance rate and the city would attempt to get the most improvement it can, based on the level of impact of the development.

Motion to reconsider carried (4 - 2)
with Misenar and Paine voting nay.

RECESS

The Mayor declared a recess at 9:25 p.m. The meeting reconvened at 9:40 p.m.

ORDINANCE - WELLHEAD PROTECTION REGULATIONS - DGA L030253

The Mayor, in a memorandum to the City Council dated October 21, 2003, recommended adoption of the Wellhead Protection Ordinance.

Motion by Ms. McCormick, second by Mr. Cole, to adopt Ordinance No. 2180, establishing and protecting highly vulnerable and critical aquifer recharge areas utilized by the city as a drinking water resource.

The Mayor announced that an email was received from Patrick Sullivan in support of the wellhead protection regulations.

Councilmember Robinson noted that the report cites contamination in 2002, and asked how would that have been prevented if the ordinance had been passed? Tom Barry, Senior Engineer, Natural Resources, said the proposed ordinance designates that MTBE, a fuel additive, not be utilized in wellhead protection areas 1 and 2 that surround the wellheads, and the ordinance would prohibit that substance. He explained the wellhead protection zones are based on a hydrologic (capture zone) model that takes specific information

and creates a map based on a certain time interval. In addition, there is a safety zone that makes the minimum width of any capture zone at least 1,000 feet, he concluded.

Councilmember Robinson asked what the impact of the next step is on water and sewer rates? Mr. Barry stated staff would not be asking for additional funds to implement the ordinance because the Council funded \$200,000 through existing water rates for staffing levels, implementation plan, and utilization of inspectors to make sure businesses are complying. He concluded staff would come back to the Council with the full implementation plan once it is fully developed.

Ordinance No. 2180, amending the Redmond Municipal Code and Redmond Community Development Guide in order to adopt regulations for the protection of the city's wellheads from hazardous materials and other pollutants entering the city's water supply, providing for severability and establishing an effective date, was presented and read.

Upon a poll of the Council, Cole, McCormick, Misenar, Paine, Plackett and Robinson voted aye. Motion carried unanimously (6 - 0).

COUNCIL EMAIL POLICY

Councilmember McCormick said when the Council voted on this on April 15, 2003, she thought the decision was to provide Councilmember emails through Councilmembers' home computer systems as well as through the city laptops. She distributed a memorandum to the Mayor and Council that proposed that Council direct staff to set up Councilmembers' email as follows: "Each member should have a "contact" record in the Active Directory that has their home email address, and add the contact record to the Forward Field in their member record. The box should be checked for "Hide from Global Address List and Keep Copy on Server."

Councilmember McCormick said under this proposal Councilmembers would still receive email at home, but it would be saved to the city server, and Councilmembers could use email to the optimum with the best tools available.

The Mayor stated that this issue is a very important one for public information. She recommended that

October 21, 2003

discussion of this issue be postponed until the November 4, 2003 Council meeting, because, in the past, there has been spirited disagreement between Councilmembers, the City Attorney, and Information Systems staff about how to retain the appropriate public record, and she thought the public should be notified about the Council discussion.

Councilmember Paine agreed with the Mayor.

Jane Christenson, Executive Assistant to the Mayor, said staff worked on this for several months with the Public Administration and Finance Committee. She added staff would be happy to resurrect the last staff report, which presented two scenarios, to aid in the Council's discussion.

Councilmember McCormick said she brought this issue up because she wanted to have Councilmember Misenar's input before he left the Council.

Councilmember Paine requested that Information Services staff be given time to respond to the proposed policy change.

There was consensus to add the topic of the Council email policy to the November 18, 2003 Council agenda.

RECOGNITION OF COUNCILMEMBER MISENAR

The Mayor and the Council recognized Councilmember Misenar for his contributions to the City Council and his service to the citizens of Redmond.

EXECUTIVE SESSION AND ADJOURNMENT

The Mayor recessed the meeting at 10:35 p.m. The Council held an executive session on litigation for approximately 20 minutes. There being no further business to come before the Council, the Mayor declared the meeting adjourned at 11:00 p.m.

MAYOR

CITY CLERK